

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

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| CARL N. MERKLE | § | Case No. 5:17-cv-00713 |
| Plaintiff, Appellant and Debtor | § | (A consolidation of three Case numbers. |
| | § | 5:17-cv-00713, 5:17-cv-00801, and |
| v. | § | 5:17-cv-00802) |
| | § | Case No. 5:17-cv-01026 |
| CAPITAL CROSSING SERVICING | § | Case No. 5:17-cv-01063 |
| COMPANY, LLC, | § | Case No. 5:17-cv-01138 |
| Appellee and Defendant, | § | |
| | § | (NOTICE: EXHIBITS FILED |
| PILGRIM REO, LLC, | § | ELECTRONICALLY ONLY |
| Party in Interest (Prior Appellee) | § | IN CASE 5:17-cv-00713) |

EXHIBITS TO

PLAINTIFF'S REPLY TO
CAPITAL CROSSING'S RESPONSE IN OPPOSITION TO
APPELLANT CARL MERKLE'S EMERGENCY MOTION TO DISQUALIFY
LANGLEY AND BANACK, INCORPORATED ATTORNEYS
FROM REPRESENTING CAPITAL CROSSING SERVICING COMPANY, LLC
IN THE ABOVE REFERENCED CASES

Notice: The actual Exhibits are filed electronically only in Case No. 5:17-cv-00713.

Exhibit 1 – Merkle's discussion about a whole lot of fraud going on at the September 26, 2017 hearing.

Exhibit 2 – ESCROW STATEMENT - 2017-06-16 Signed Seller HUD - final.

Exhibit 3 – TEXAS PENAL CODE CHAPTER 31 - THEFT

Exhibit 4 – Transcript of portion of bankruptcy court Hearing on March 28, 2017

Exhibit 5 – Swindle definitions

Exhibit 6 – Transcript of bankruptcy court hearing on September 13, 2017

Exhibit 7 – Transcript of bankruptcy court hearing on September 26, 2017

Exhibit 8 – 20170921 Gmail - Fwd_ Attorney's Fees Release

Exhibit 9 – ESCROW STMT DRAFT- R-058 (L1291275x7AEDB) 5-18-17

Exhibit 10 – Embezzlement legal definition of embezzlement

Exhibit 11 – Redaction MORs from trial court exhibits R-060 to R073

Exhibit 12 – Misappropriation Definitions

Exhibit 13 – Unjust enrichment definitions from various sources

Exhibit 14 – Google search term - criminal strategy deny, deny, deny

Exhibit 15 – Key Cites from Texas Deceptive Trade Practices Act

Exhibit 16 – Email of April 20, 2016 - Merkle's first discovery of the defalcation

Exhibit 17 – Email of May 2, 2016 Merkle to Shea

Exhibit 18 – definitions of fraud and fraudulent - various sources

Exhibit 19 – D-Ex 24 Debtor Calculation of Loan Payoff Based on Dates of Payments

Exhibit 20 – ESCROW R-082 (L1291296x7AEDB) Merkle email payoff \$809K 5-15-17

Exhibit 21 – R-053 (L1291270x7AEDB) Sept 4 2015 notice letter – With Merkle comments

Exhibit 22 – R-054 (L1291271x7AEDB) Oct 8 2015 notice letter – With Merkle comments

Exhibit 23 – R-055 (L1291272x7AEDB) Dec 15 2015 notice letter – With Merkle comments

Exhibit 24 – Texas PROPERTY CODE CHAPTER 51 – With Merkle comments

Exhibit 25 – Merkle email of Dec 30, 2015 to Kevin Shea

Exhibit 26 – R-043 redaction - Selected Capital Crossing Journal Entries

Exhibit 27 – 20170921 Texas Disciplinary Rules of Professional Conduct-highlighted

Exhibit 28 – White-collar crime - Wikipedia

Exhibit 29 – lynching definition - Google Search

Exhibit 30 – define ruse - Google Search

Exhibit 31 – Gmail - Texas Rangers - RE_ Public corruption

Exhibit 32 – Definitions of tort and tortious, and tort vs crime

Exhibit 33 – Define insinuate - Google Search

Exhibit 34 – Federal Rule of Civil Procedure - Rule 60

Exhibit 35 – People Qualifications Judge Craig Gargotta

Exhibit 36 – People Qualifications David S Gragg

Exhibit 37 – People Qualifications Natalie Friend Wilson

Exhibit 38 – People Qualifications Carl Merkle, CPA

Exhibit 39 – Joint State-Federal National Mortgage Servicing Settlements

Exhibit 40 – Theft of the Nation - scholarly work about organized crime

Exhibit 41 – Racket (crime) - Wikipedia

Exhibit 42 – define buddy-buddy - Google Search

Exhibit 43 – 11 US Code Sec 1129 - Confirmation of Plan

Exhibit 44 – define extortion - Google Search

Exhibit 45 – TEXAS CIVIL PRACTICE AND REMEDIES CODE CHAPTER 41

Exhibit 46 – TEXAS PENAL CODE CHAPTER 32 - FRAUD

Exhibit 47 – TEXAS PENAL CODE CHAPTER 71 - ORGANIZED CRIME

Exhibit 48 – TEXAS PENAL CODE CHAPTER 1 - GENERAL PROVISIONS

Exhibit 49 – TEXAS PENAL CODE CHAPTER 6 - culpable mental states

Exhibit 50 – Outline of the Fraud of Embezzlement Committed On Merkle

Exhibit 51 – Outline of the Fraud of Extortion Committed on Merkle

Exhibit 52 – Outline of the Fraud of Swindling Committed on Merkle

Exhibit 53 – Outline of the Fraud of Property Destruction Committed on Merkle

Exhibit 54 – not used

Exhibit 55 – not used

Exhibit 56 – not used

Exhibit 57 – not used

Exhibit 58 – not used

Exhibit 59 – not used

Exhibit 60 – was 56 - Predatory mortgage servicing - Wikipedia

Exhibit 61 – was 57 - Predatory mortgage servicing - R-073 (L1291289x7AEDB)

Exhibit 62 – was 58 - R-056 NEV chks pd to cc during bk

Exhibit 63 – was 59 - R-057 NEV ck, criminals at cc check

Exhibit 64 – Merkle's analysis of 00713-Doc20-Response to Mtn to Disqualify